

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:

SHARMIL MCKEE

Bankruptcy No.: 17-10941 (JKF)

Debtor

Chapter 7

Michael K. Pearson,

Plaintiff,

v.

Sharmil D. McKee,

Adversary No. 18-0144

Defendant.

APPELLANT'S DESIGNATION AND ISSUES PRESENTED

Appellant/Child Support Creditor Michael K. Pearson ("Child Support Creditor" or "Creditor"), by and through his undersigned counsel, hereby designates the following as parts of the record he intends to reproduce:

A. Parts of the Record Appellant Intends to Reproduce

1. Bankruptcy Case No. 17-10941 (jkf) Record Entry No. 52 – Order Approving Trustee's Report, discharging trustee and closing case. (Entered: 07/07/2017)
2. Adversary Case No. 18-0144 Record Entry No. 1 – Adversary case 18-00144. Complaint by Karin M. Gunter on behalf of Michael K Pearson against Sharmil McKee, *inter alia* (Entered: 06/25/2018).
3. Adversary Case No. 18-00144 Record Entry No. 4 – Motion to Dismiss Adversary Proceedings Filed by Sharmil McKee Represented by Glenn Brown (Counsel), *inter alia* (Entered: 07/20/2018)

4. Adversary Case No. 18-00144 Record Entry No. 6 – Order Adversary Dismissing Case (Entered: 08/01/2018)

B. Brief Statement of Issues Appellant Intends to Present for Review

1. Whether the trial court erred as a matter of law, and therefore abused its discretion, when it dismissed the adversary proceeding on August 1, 2018 alleging, in part, the underlying Appellee's underlying bankruptcy case closed by order dated June 7, 2017, when in fact the underlying bankruptcy case did not close until July 7, 2017 pursuant to 11 U.S.C. § 350(a).
2. Whether the trial court erred as a matter of law, and therefore abused its discretion, when it closed the adversary proceeding on August 1, 2018, denied Appellant the opportunity to respond to Appellee's motion to dismiss and failed to rule on those underlying pleadings

Appellant reserves the right to raise other issues he intends to present for review.

Respectfully submitted:

LAW OFFICE OF KARIN M. GUNTER

/s/ Karin M. Gunter

Karin M. Gunter, Esquire
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CERTIFICATE OF SERVICE

I, Karin M. Gunter, Esquire, do hereby certify that I served a true and correct copy of Creditor Michael K. Pearson's Appellant's Designation and Issues Presented Appearance of Child Support Creditor or Representative upon each of the following parties by the court's electronic pursuant to Fed. R. Civ. P. 5(b)(2)(E):

The Honorable Jean K. FitzSimon
Robert N.C. Nix Federal Courthouse
900 Market Street, Suite 203
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Pamela Elchert Thurmond, Esquire
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Counsel for Joseph Rotan, Witness

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Trustee

Date: August 24, 2018

/s/ Karin M. Gunter
Karin M. Gunter, Esquire
Counsel for Appellant, Michael K. Pearson